

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

CONTEMPT PETITION NO.94 OF 2006

IN

NOTICE OF MOTION NO.1121 OF 1987

IN

SUIT NO.1081 OF 1987

Prakash Laxman Chanderkar ...Petitioner(orig.plaintiff).

vs.

1. Suhas Laxman Chanderkar & ors. ...Respondents
(orig.defendants 2,3 & 6).

Mr.Sanjay Kothari i/b. M/s.Shroff & Co., for Petitioner.

Mr.S.S.Purohit i/b. Ms.Pradnya Tikale, for Respondent no.2.

Mr.Kishor Sriyan, for Respondent nos.1 & 3.

CORAM: D.K.DESHMUKH,J.

DATED: 22nd January, 2007.

P.C.:-

1. The petitioner though claims that the interim order made by this Court in the year 1989 was willfully violated by the respondent no.1, the petitioner is not in a position to give the approximate date or

the month on which, according to the petitioner, the respondent no.1 has willfully violated the interim order made by the Court. The date if not exact even the approximate on which the alleged order has been violated is necessary, firstly to find out whether the petitioner has filed the petition within the period of limitation and secondly, to find out whether the case of the respondents that changes in tenancy occurred during the life time of the mother i.e. in the year 2002 and it is the mother who has brought about these changes in the tenancy. In my opinion, taking overall view of the matter therefore, it is not the case where action under the Contempt of Courts Act can be initiated against the respondents. The petition is disposed of.
